

## Burlington Planning Commission

149 Church Street  
Burlington, VT 05401  
Telephone: (802) 865-7188  
(802) 865-7195 (FAX)  
(802) 865-7144 (TTY)  
[www.ci.burlington.vt.us/planning](http://www.ci.burlington.vt.us/planning)

*Peter Potts, Chair  
Bruce Baker, Vice-Chair  
Yves Bradley  
Lee Buffinton  
David Cain  
Andy Montroll  
Jennifer Wallace-Brodeur  
Andrew Saba, Youth Member*



## Burlington Planning Commission Minutes Tuesday, July 12, 2011 - 6:30 pm

**Present:** L. Buffinton, P. Potts, A. Montroll, B. Baker, H. Roen

**Absent:** Y. Bradley, J. Wallace-Brodeur

**Staff:** S. Thibault, D. White, E. Tillotson

### I. Agenda

No changes.

### II. Public Forum

P. Potts – Opened the public forum at 6:35pm.

P. Potts – Closed the public forum at 6:36pm.

### III. Report of the Director

The Chair presented the following report:

- He is canceling the October 28 meeting since there will be three meetings in the immediate time surrounding this scheduled meeting and four evenings in quick succession is just too much to expect of the Commissioners.
- S. Thibault gave an update on the Downtown & Waterfront Plan.
  - The first Speaker Series Event with Todd Litman of the Victoria Transport Policy Institute is scheduled for Wednesday night.
  - Proposals have been received from the 4 shortlisted top consulting teams. Interviews will be held on July 21 and a decision meeting date of July 27.
  - Work on the Land Use Inventory and Buildout Analysis was completed by Milone and MacBroom at the end of June. The report is available on line on the Downtown and Waterfront web site.
  - Staff is working on a scope of work for the Cultural, Arts and Entertainment Facilities Analysis. The work will likely be completed by city staff but that is not yet decided.
- The Director has been asked by the APA to be involved in the Sustaining Places Study.
- All of the staff is working in the office on the aftermath of the flooding. S. Gustin is taking the lead and working with the Code Enforcement and DPW, S. Thibault working with FEMA exploring opportunities for homeowners and for staff education. The new official FEMA maps take effect on July 18.<sup>th</sup>
- Staff is also working with the Intervale Center to understand and clarify the methods necessary to use hoop houses without creating violations of the flow of water during a flood. The Vermont Flood Management Agency wishes to support the hoop houses, FEMA seems to have more difficulty with this concept. The Intervale Center has created a flood management plan.

*As approved by the Burlington Planning Commission on September 13, 2011.*

- The Downtown Transit Center Project has been taken over by CCTA and the Director has met with this group which is doing reexamination of all possible sites, including bus parking within the sites as well as on streets, depending on the site. The project is primarily a CCTA facility but it would be nice if it were multi modal. There will be public input process which will coordinate wonderfully with downtown planning project.
- Tomorrow there is to be an announcement in City Hall Park that Burlington City is the recipient of a National Endowment for the Arts Grant which will allow for planning for the park to enhance its functioning. Planning & Zoning will act as an advisor.

L. Buffinton - Is there an overall plan for the city in terms of interconnectedness?

D. White - Present street improvements were a coordinated effort with merchants to encourage streetside dining.

#### **IV. Annual Organizational Meeting**

##### **Commission Chair**

B. Baker nominates P. Potts as Chair. All vote in favor.

##### **Commission Vice-Chair**

H. Roen nominates B. Baker as Vice Chair. All vote in favor.

##### **Executive Committee Member at-large**

B. Baker nominates Y. Bradley as Member at Large. All vote in favor.

##### **Clerk**

P. Potts appointed E. Tillotson as Commission clerk.

##### **Committee assignments**

On a motion by B. Baker, seconded by L. Buffinton, the Commission unanimously nominates Y. Bradley, J. Wallace-Brodeur and H. Roen on the Long Range Planning Committee.

On a motion by H. Roen, seconded by L. Buffinton, the Commission unanimously nominates B. Baker, A. Montroll and L. Buffinton on the Ordinance Committee.

#### **V. Public Hearing – ZA-11-10 – Retaining Walls – Time Certain 7:00pm**

D. White - Three sections of the ordinance require clarification to resolve the issue of appropriate retention.

L. Buffinton - Questions Section 6.2.2 only over five feet tall?

D. White – Retaining walls no greater than 5' tall may project into yard setback, but retaining walls should be set back a minimum of 2' from a side or rear property boundary. Retaining walls projecting into a required side or rear yard setback that exceed 5' in height and/or come within 2' of a side or rear property boundary shall be subject to Development Review Board review.

This zoning amendment should be on the August 8<sup>th</sup> agenda of the City Council.

On a motion by A. Montroll, seconded by L. Buffinton, the Commission unanimously approved ZA-11-10 and referred to the City Council for adoption.

P. Potts - Closed the public hearing at 7:37pm.

## **VI. Proposed Zoning Amendments**

### **Bed and Breakfast definition**

The purpose is to clarify the number of rooms to five and remove the number of rooms from the definition. The use appendix is okay.

On a motion by A. Montroll, seconded by L. Buffinton, the Commission unanimously warns for public hearing on August 9, 2011.

### **Clear sight triangle**

This proposed amendment was initiated by a Notice of Violation in 2009 to clarify obstructions in reference to setbacks, Section 5.2.5. This is actually a health and safety issue and should be handled by DPW and Parks & Recreation.

On a motion by A. Montroll, seconded by B. Baker, the Commission unanimously elected to ask that staff send a memo to City Council explaining the issue of safety.

### **Home Occupations**

Home occupations need to be modified by adding in residential and institutional districts food production. The purpose is to be able to approve these permits administratively.

### **Signs in Enterprise District**

This proposed amendment clarifies the maximum square footage of a free standing signs. Sec 7.2.5.

On a motion by H. Roen, seconded by L. Buffinton, the Commission unanimously warns for public hearing on August 9, 2011.

### **Planned Unit Development Adaptive Reuse**

Non conforming density for minor PUDs requires an adjustment in order to work.

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously warns for public hearing on August 9, 2011.

## **VII. Committee Reports**

The Ordinance Committee meets on Thursday. The Executive Committee meets on 18<sup>th</sup>. The Chair is canceling the second meeting in August. Neighborhood improvement nights are scheduled in September, the November 8<sup>th</sup> meeting and the November 22nd meeting will be canceled, also the second meeting in October.

LRPC - The contract is to be decided on July 27. The form based code process can be adopted as the city is ready to adopt and implement it. The Chair will spend some time reviewing the contract before it goes to the City Council. The contract can yet be fine tuned with specifics if the city wishes until August 9<sup>th</sup>.

## **VI. Commissioner Items**

H. Roen - The park and ride plan seems to prioritize south end transit sites. Regarding the location of potential sites, the Shelburne Rd sites had very low priority; what should his priority as a commissioner be?

D. White - The emphasis stays on the south end transport center as the highest priority and suggests that the Planning Commission have Nicole Losch, come to talk about her priorities.

The reports are that the public meeting for people affected by the flooding at the Miller Center was attended by city representatives Scott Gustin, Planning & Zoning, Bob Kiss, Mayor, and FEMA personnel. It is understood that our personnel is doing a good job representing the department.

**VII. Communications**

On a motion by A. Montroll, seconded by L. Buffinton, the Commission unanimously adopted the minutes from April 5, 2011 and June 14, 2011 as amended.

**VIII. Adjournment**

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously adjourned the meeting at 8:30 pm.



Peter Potts, Chair



Date



Elsie Tillotson, recording secretary